

SUBCHAPTER G—REGULATIONS UNDER TAX CONVENTIONS

PARTS 500–501 [RESERVED]

PART 502—GREECE

Subpart—Withholding of Tax

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AUTHORITY: Sec. 7805, 68A Stat. 917; 26 U.S.C. 7805.

SOURCE: Treasury Decision 6109, 19 FR 6694, Oct. 19, 1954, as amended at 25 FR 14021, Dec. 31, 1960, unless otherwise noted.

EFFECTIVE DATE NOTE: By T.D. 8734, 62 FR 53497, Oct. 14, 1997, part 502 was removed, effective Jan. 1, 1999. By T.D. 8804, 63 FR 72183, Dec. 31, 1998, the effective date was delayed until Jan. 1, 2000. By T.D. 8856, 64 FR 73408, Dec. 30, 1999, the effective date was delayed until Jan. 1, 2001.

Subpart—Withholding of Tax

§ 502.1 Introductory.

(a) The income tax convention and protocol between the United States and Greece, signed February 20, 1950, and April 20, 1953, respectively, and proclaimed by the President of the United States on January 15, 1954, referred to in this part as the convention, provides in part as follows effective January 1, 1953:

ARTICLE I

(1) The taxes which are the subject of the present Convention are:

(a) In the case of the United States of America: the Federal income tax, including surtaxes (hereinafter referred to as United States tax).

(b) In the case of the Kingdom of Greece: the income tax, including the schedular or analytical tax, the complementary tax and

the professional or business tax (hereinafter referred to as Greek tax).

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed by either Contracting State subsequently to the date of signature of the present Convention.

ARTICLE II

(1) In the present Convention, unless the context otherwise requires—

(a) The term “United States” means the United States of America and when used in a geographical sense means the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(b) The term “Greece” means the territories of the Kingdom of Greece.

(c) The term “United States Corporation” means a corporation, association or other like entity created or organized in or under the laws of the United States.

(d) The term “Greek Corporation” means a legal entity established under the laws of Greece.

(e) The terms “corporations of one Contracting State” and “corporation of the other Contracting State” mean a United States corporation or a Greek corporation, as the context requires.

(f) The term “United States enterprise” means an industrial or commercial enterprise or undertaking carried on in the United States by a citizen or resident of the United States or by a United States corporation.

(g) The term “Greek Enterprise” means an industrial or commercial enterprise or undertaking carried on in Greece by a subject or resident of Greece or by a Greek corporation.

(h) The terms “enterprise of one of the Contracting States” and “enterprise of the other Contracting State” mean a United States enterprise or a Greek enterprise, as the context requires.

(i) The term “permanent establishment”, when used with respect to an enterprise of one of the Contracting States, means a branch, factory or other fixed place of business, but does not include an agency unless that agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of such enterprise or has a stock of merchandise from which he regularly fills orders on behalf of such enterprise. An enterprise of one of the Contracting States shall not be deemed to have a permanent establishment in the other Contracting State merely because it carries on business dealings in such other Contracting State through a bona fide commission agent, broker or custodian acting in the ordinary course of his business as such. The fact that